Pending the repeal of the rules, however, the Commission in this proceeding should adopt a liberal waiver policy for newspaper/radio cross-ownership, including a presumptive waiver standard that permits common ownership of co-located dailies and radio stations where a significant level of diversity and competition will continue to exist in the marketplace. In establishing the threshold for such presumptive waivers, the agency should utilize a realistic definition of the geographic scope of the market in question, based upon established industry standards and, where appropriate, actual service contours, and should take into account the enormous growth since 1975 in the number and variety of competing information providers and advertising outlets.

In addition to such a presumptive standard based on market conditions, the Commission's waiver policy should include relief for grandfathered station/newspaper combinations and other facilities with a substantial history of common ownership and operation in the public interest.

Finally, the FCC should afford applicants who do not meet the threshold for presumptive waiver

broad latitude, on a case-by-case basis, to demonstrate specific programming and other public interest benefits from joint operation that would justify waiver.

Respectfully submitted,

MORRIS COMMUNICATIONS CORPORATION

and

STAUFFER COMMUNICATIONS, INC.

3v:

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James R. Bayes

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of

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Its Attorneys

March 21, 1997

APPENDIX A

COMPETING INFORMATION PROVIDERS IN THE TOPEKA, KANSAS AREA

TOPEKA METRO AREA

SHAWNEE COUNTY (Topeka)

Radio: (Home) KBUZ-FM KDVV-FM WIBW-FM KJTY-FM KTOP WREN KMAJ-AM KWIC-FM KQTP-FM KMAJ-AM WIBW KTPK-FM

Radio: (Others with listening reported in Topeka Arbitron,

Fall 1996)

KBEQ-FM KCFX-FM KCIY-FM **KCMO** KCMO-FM KLTH-FM KFKF-FM KLZR-FM KMBZ KMXV-FM KPRS-FM KQRC-FM KUDL-FM KXBZ-FM KXTR-FM KYYS-FM WDAF

Television:

KSNT KTKA KTWU WIBW KTMJ

Newspapers:

The Topeka Capital Journal - daily

El Hispano Bilingual The Kansas Christian

The Sherwood Gazette - monthly Topeka Metro News - semi-weekly

The Sentinel - bi-weekly

Cable:

Galaxy Cablevision

TCI of Kansas

Cable-Tel of Topeka

Direct Mail:

Coupon Magazine of Kansas

S & J Midwest Ad-Venture

Consolidated Mailing Corp.

Data Documents, Inc.

DataMail Inc.

DTWO Marketing Communications

Ready Mail Inc.
The Home Shopper

Kansas Stockman & Kansas Farmer

PROVIDERS OF INFORMATION

WIBW AM/FM

Topeka, Kansas

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Yellow Pages: Southwestern Bell Yellow Pages

Woodward Publications

Directories:

The Polk Directory

Topeka Parent & Child Guide Book

Outdoor:

Martin Outdoor Advertising Boyles Portable Sign Rentals

RJ Outdoor

OSAGE COUNTY (OSAGE CITY, LYNDON)

Radio:

KANS-FM

Newspapers: Osage County Chronicle - weekly

Cable:

Cablevision (Osage City/Lyndon)

Yellow Pages: Sprint Yellow Pages (Osage City)

JACKSON COUNTY (HOLTON, WETMORE)

Newspapers:

Holton Recorder - weekly

Cable:

CLR Video

Yellow Pages: Sprint (Holton)

WABAUNSEE COUNTY (ESKRIDGE)

Newspapers: Flint Hills Independent - weekly

Cable:

Galaxy Cablevision

TCI of Kansas

JEFFERSON COUNTY (VALLEY FALLS, OSKALOOSA)

Newspapers: Valley Falls Vindicator - weekly

Oskaloosa Independent - weekly

Cable: CLR Video

Yellow Pages: Sprint (Oskaloosa)

TOPEKA DMA

(DMA includes the Topeka Metro Area plus the following):

COFFEY COUNTY (GRIDLEY, BURLINGTON)

Radio:

KSNP-FM (Burlington)

Cable:

U.S. Cable DBA/Cablevision

Newspapers:

Coffey County This Week - weekly

Coffey County Today - weekly

Gridley Gleam - weekly

Yellow Pages: Sprint Yellow Pages (Burlington)

LYON COUNTY (EMPORIA)

Radio:

KFFX-FM

KVOE-FM

KGZF-FM

KNGM-FM

KVOE-AM

KANS-FM

Newspapers:

Emporia Gazette - daily

The Bulletin

Cable:

Classic Cable

Galaxy Cablevision

Yellow Pages: Southwestern Bell (Emporia)

Outdoor:

Martin Outdoor Advertising

MORRIS COUNTY (COUNCIL GROVE, WHITE CITY)

Newspapers:

Council Grove Republican - daily

Prairie Post, White City - weekly

Cable:

Community Antenna Systems, Inc.

PROVIDERS OF INFORMATION WIBW AM/FM

Topeka, Kansas

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GEARY COUNTY (JUNCTION CITY)

Radio:

KJCK-AM

KJCK-FM

Newspapers:

Junction City Daily Union - daily

Ft. Riley Post - weekly

Direct Mail:

Direct Results (Junction City)

Yellow Pages: Sprint (Junction City)

Outdoor:

Gateway Outdoor Advertising (Junction City)

Heartland Signs (Junction City)

Thomas Sign Advertising (Junction City)

CLAY COUNTY (CLAY CENTER)

Radio:

KCLY-FM

KFRM-AM

Newspapers:

Clay Center Dispatch - daily

Cable:

Cablecom of Clay Center

RILEY COUNTY (MANHATTAN)

Radio:

KHCA-FM (Wamego)

KXBZ-FM

KKSU-AM

KQLA-FM

KMAN-AM

KSDB-FM

KMKF-FM

Television:

KTMJ (Junction City)

Newspapers:

The Daily Union - daily

High Plains Journal

Keynotes for Senior Kansans

Manhattan Free Press

The Manhattan Mercury - daily The Riley Countian - weekly

The Kansas State Collegian - daily

Grass & Grain

Pig Tales

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Cable: Manhattan Cable TV Services, Inc.

Cencom Cable of Riley
Junction City Television

Direct Mail: SWBYP's Special Delivery (Manhattan)

Yellow Pages: Southwestern Bell (Manhattan)

Outdoor: Thomas Sign Advertising (Manhattan)

POTTAWATOMIE (WAMEGO, WESTMORELAND, ONAGA, ST. MARYS)

Radio: KHCA-FM (Wamego)

Newspapers: Onaga Herald - weekly

St. Marys Star - weekly

Wamego Smoke Signal - weekly

Wamego Times - weekly

Westmoreland Recorder - weekly

Cable: Wamego Cablevision & CLR Video

Yellow Pages: Sprint (St. Marys)

MARSHALL COUNTY (MARYSVILLE, FRANKFORT, WATERVILLE)

Radio: KNDY-AM (Marysville)

KNDY-FM (Marysville)

Newspapers: Marysville Advocate - weekly

Frankfort Area News - weekly

The Telegraph, Waterville - weekly

Cable: TCI Cable

Yellow Pages: Southwestern Bell (Marysville)

NEMAHA COUNTY (SABETHA, SENECA, CENTRALIA, MARYSVILLE)

Radio: KMZA-FM (Seneca)

Newspapers: Sabetha Herald - weekly

Seneca Courier-Tribune- weekly

Nemaha County Journal Leader, Centralia

Cable: Beatrice Cable TV (Marysville)

Galaxy Cablevision (Seneca & Sabetha)

Washington Cable TV, Inc.

Yellow Pages: Southwestern Bell (Sabetha, Seneca, and

Marysville)

WIBW-FM PRIMARY CONTOUR

(The WIBW-FM Primary Contour includes Topeka Metro Area, DMA, & also the following):

DOUGLAS COUNTY (LAWRENCE)

Radio:

KANU-FM

KLWN-AM

KJHK-FM

KLZR-FM

Television: KMCI

Newspapers:

Lawrence Journal-World - daily

Eudora News - weekly High Plains Journal

The Ledger The Note

Kansas University Daily Kansan - daily

Pitch Weekly

Cable:

Sunflower Cablevision

Perry Cablevision

Direct Mail:

Consolidated Mailing Corp. (Lawrence)

Kansas Key Press (Lawrence) Knight Enterprises (Lawrence)

Yellow Pages: Southwestern Bell (Lawrence)

Directories: Woodward Publications, Inc. (Lawrence)

Outdoor: Martin Outdoor Advertising (Lawrence)

FRANKLIN COUNTY (OTTAWA)

Radio:

KOFO-AM

Newspapers:

Ottawa Herald - daily Ottawa Times - weekly

Cable:

Pittsburg Cable TV Galaxy Cablevision

Communications Services

ATCHISON COUNTY (ATCHISON)

Radio:

KAIR-AM

KAIR-FM

Newspapers: Atchison Daily Globe - daily

Cable:

Fanch Cablevision

CLAY COUNTY (CLAY CENTER)

Radio:

KCLY-FM

Newspapers:

Clay Center Dispatch - daily

Cable:

Cablecom of Clay Center

Galaxy Cablevision

DICKINSON COUNTY (ABILENE)

Radio:

KABI-AM

KSAH-FM

Newspapers:

Abilene Reflector-Chronicle - daily

Chapman Advertiser & Enterprize Journal-weekly

Cable:

Cablecom of Abilene

Galaxy Cablecom

Yellow Pages: Southwestern Bell (Abilene)

CHASE COUNTY

Newspapers:

Chase County Leader-News,

Cottonwood Falls - weekly

Cable:

Tri Star Cable, Inc.

WIBW (AM) CONTOUR DAYTIME COVERAGE

WYANDOTTE COUNTY (BONNER SPRINGS, K.C.)

Newspapers:

K.C. Record - weekly

Bonner Springs Chieftain - weekly

K.C. Kansan -

Wyandotte West - semi-weekly

Wyandotte Echo - weekly

Cable:

Galaxy Cablevision
American Cablevision

Direct Mail:

ADVO, Inc.

All Packaging Company

American Lithographics, Inc.

Barkley and Evergreen

Bleich and White Mailing Service

Cha Le Computer Services

City Distributors

Color Works

Computer Mailing, Inc.
Consolidated Mailing Corp.
Contacts Influential America
Corporate Output Services
Courtney Business Assistance

D & O Distributing

Danielle, McKenzie, and Alexander

Data Mail

Direct Data Services
Direct Mail Strategies
Direct Marketing Resources
Dovetail Partner Promotions
Duffy Creative Services
Executive Image Printing

Executive Image Printing Felco Printing and Mailing Global Promotional Mailings

Henry Wurst, Inc.

Impact Direct Marketing
Inquest International

KCS Direct Mail

Kansas City Automated Mail, Inc.

Lion Share Marketing, Inc.

List Emporium, Inc.

List Mart, Inc. Lund Mark Advertising and Design Mach 1 Marketing Mail and More Mail Print, Inc. Mail Sort, Inc. Mailing Clearing House Marketing Communications, Inc. Marketing Technologies Marketshare Publications Merrigan and Company Meyer Partners Midwest Direct Marketing, Inc. Midwest Mailing, Inc. Mission Direct Marketing Money Mailer of Mid America Money Mailer of North Jackson County Money Mailer of North Johnson County Money Mailer of South Johnson County Neff Printing, Inc. Neighborhood Advertising OMNI Media The Personal Marketing Company Personalized Envelope Typing Service Precision Communications Quality Mail Marketing Ryan Direct Ryan/Whitenton Direct Response J. Schmid & Associates Southwest Publishing and Mailing Yellow Pages Sales Office Staley Marketing Group Target Direct Marketing G. Thomas and Associates Town Planner Calendar Diane Turner and Associates Unicorn Stock Photo Library Valentine-Radford Direct Val-Pak Coupons ValuMail Wilson Direct Source Wolfe Direct

Directories:

Fred Arbanas, Inc.
B V & K Direct, Inc.
Benchmark Publications
Berstein-Rein Advertising
Berry-Sprint Publishing

Black Pages

Blue Valley Publications

Christenson, Barclay, and Shaw, Inc.

Cole Information Services

Community Connection
Consolidated Directories

Day Advertising

Directory Resource Consultants

GTE Directories

Heart of America Life Pages Kansas City Golf Magazine Ketchum Directory Advertising

LaLista Latina Hispanic Business Directory

National Yellow Page Service

Neighborhood Networks Polk City Directories

Sprint Publishing and Advertising

TMP Worldwide
TV FanFare

Thomas Register of American Manufacturing

VMS Directory Services Valentine-Radford, Inc.

WCS Publishing

Yellow Page Quick Index

Outdoors:

A-AA Portable Sign Rental

Ad Trend Giant Balloons and Searchlights

Balloon Events

Craig Outdoor Advertising Gannett Outdoor Co. of K.C.

Herron and Company Impact Imaging, Inc.

Martin Outdoor Advertising Metromedia Technologies Missouri Poster and Banner Odegard Outdoor Advertising

Olson Outdoor, Inc. Outdoor Sales Office

Premiere Outdoor Advertising

3M Outdoor Advertising

Wilson Curtiss Outdoor Advertising

The Computer User National Publishing Programs for the Arts

Recognition Communications

Outdoor Advertising (LAFAYETTE CO.,

KANSAS CITY, MO.)

Rinne Sign Company (LAFAYETTE CO.,

KANSAS CITY, MO.)

Brooks Publishing Company

Direct to You

The Essential Book

Flyer Distribution Center

Granny's Coupon Incredicard Limited The Shoppers Edge

Southwestern Bell Yellow Pages

Town Planner Calendar/Granny's Coupons

Val-Pak of Kansas City

JOHNSON COUNTY (K.C.)

Newspapers: College Blvd. News - weekly

Olathe Daily News - daily

K.C. Jewish Chronicle - weekly Shawnee Journal Herald - weekly Sun Newspapers - semi-weekly Spring Hill New Era - weekly

Gardner News - weekly

Cable: TCI of Overland Park

Jones Intercable

Cablevision (Excelsior Springs)

American Cablevision

Classic Cable

LEAVENWORTH COUNTY (LEAVENWORTH)

Radio: KKLO-AM

Newspapers: Leavenworth Times - daily

Basehor Sentinel - weekly Tonganoxie Mirror - weekly

Cable: Galaxy Cablevision

American Cablevision

Direct Mail: Chronicle Shopper (Leavenworth)

Lansing Publisher, Inc.

Yellow Pages: Southwestern Bell Yellow Pages (Leavenworth)

Directories: Consolidated Mailing Corp. (Leavenworth)

Outdoor: Robinson Outdoor Advertising (Leavenworth)

WOODSON COUNTY (YATES CENTER)

Newspapers: Yates Center News - weekly

Cable: Communications Sources, Inc.

GREENWOOD COUNTY (EUREKA)

Radio: KOTE-FM

Newspapers: Eureka Herald - weekly

Madison News - weekly

MIAMI COUNTY (LOUISBURG, OSAWATOMIE)

Newspapers: Louisburg Herald-weekly

Miami County Republic - semi-weekly

Osawatomie Graphic - weekly

Cable: Classic Cable

LINN COUNTY (PLEASANTON, PLAINVILLE)

Newspapers: Linn County News, Pleasanton - weekly

Cable: Classic Cable (Plainville)

Regional Cable TV

ALLEN COUNTY (IOLA, HUMBOLDT)

Radio:

KALN-AM (Iola)

KIKS-FM (Iola)

Newspapers:

Iola Register - daily

Humboldt Union - daily

Cable:

Communications Services, Inc.

TCI of Kansas (Humboldt)

BUTLER COUNTY (EL DORADO, ANDOVER, AUGUSTA, ROSE HILL)

Radio:

KSRX-AM

KTLK-FM

Newspapers:

El Dorado Times - daily

Andover Journal Advocate - weekly

Augusta Daily Gazette - daily Rose Hill Reporter - weekly

Cable:

Multimedia Cablevision

MARION COUNTY (HILLSBORO, PEABODY)

Radio:

KJRG-AM

KOEZ-FM

Newspapers:

Hillsboro Star - weekly

Marion County Record - weekly Peabody Gazette Bulletin - weekly

Cable:

Galaxy Cablevision (Marion)

Multimedia Cablevision

WASHINGTON COUNTY (LINN, HANOVER, CLIFTON)

Newspapers:

Hanover News - weekly

Washington County News - weekly

Linn-Palmer News - weekly Clifton News Tribune - weekly

Cable:

Regional Cable TV

Tri Star Cable

Yellow Pages: Southwestern Bell (Washington)

OTTAWA COUNTY (MINNEAPOLIS, DELPHOS)

Radio:

KJLS-FM

Newspapers:

Delphos Republican - weekly

Minneapolis Messenger - weekly

Cable:

Galaxy Cablevision

BROWN COUNTY (HIAWATHA, HORTON, FAIRVIEW)

Radio:

KNZA-FM (Hiawatha)

Newspapers:

Hiawatha Daily World - weekly

Everest World - weekly

Fairview Enterprise - weekly Horton Headlight - weekly

Cable:

Fallon Cablevision

CLR Video

Yellow Pages: Sprint (Hiawatha)

REPUBLIC COUNTY (BELLEVILLE, COURTLAND, SCANDIA)

Radio:

KREP-FM (Belleville)

Newspapers:

Belleville Telescope - weekly

Belleville Farmer Stockman - weekly

Scandia Journal - weekly

Courtland Journal-Empire - weekly

Cable:

Belleville Comm.

Courtland Cable TV

Galaxy Cablevision

CLOUD COUNTY (CONCORDIA)

Radio: KNCK-AM

KCKS-FM KVCO-FM

Newspapers: Clyde Republican - weekly

Concordia Blade Empire - daily

Glasco Sun - weekly

Miltonvale Record - weekly

Cable: Cablecom of Concordia

Yellow Pages: Southwestern Bell (Concordia)

MITCHELL COUNTY (BELOIT, CAWKER CITY)

Radio: KVSV-AM

KVSV-FM

Newspapers: Beloit Daily Call & Post - daily

Cawker City Ledger - weekly

Cable: Cablecom of Beloit

Yellow Pages: Southwestern Bell (Beloit)

SEDGWICK COUNTY (WICHITA, AND WICHITA AREA)

Radio: KFDI-AM KQAM-AM

KFDI-FM KICT-FM KKRD-FM KNSS-AM KRZZ-FM KYQQ-FM KSGL-AM KCFN-FM KZSN-AM KDGS-FM KZSN-FM KIBN-FM KTLI-FM KLLS-FM KRBB-FM KFH-AM

KXLK-FM KMUW-FM KEYN-FM KANR-FM

Television: KPTS KSNW

KSAS KWCH KSMI KAKE

Cable:

Multimedia Cablevision

Newspapers:

American Gas & Oil Reporter -Phoenix Publications -Ark Valley News - weekly

Active Aging -

Andover Journal Advocate - weekly

Augusta Daily News - daily

Bargain Hunters -

Belle Plaine News - weekly

Community Voice The Daily Reporter The Wichita Eagle - daily

East Wichita News -

Ebony Shopper and News - El Dorado Times - daily

El Perico -

Haysville Times -

Mulvane News - semi-weekly

Ngay Nay -OK Times

Old Town Gazette

Pennypower Shopping News - Plaindealer Newspaper -

Professional Singles Journal -

The Prospector -

Rose Hill Reporter - weekly Sedgwick County Competitor -

Southern Life -

Town Connection -

Sunflower Monitor -

Thompson & Associates -

Times Sentinel - weekly

Westside Story -

White Buffalo Gazette

Wichita Business Journal - weekly

Wichita Chronicle -

Wichita Times -

Wichita State Sunflower -

Kansas Newman Vantage -

Mennonite Weekly Review -

Thrifty Farmer -

Wichita Traveler Magazine -

Wichita Hi-Lighter -

Wichita Family Ties -

Short Wing Piper News -Kansas Bowling News -The Catholic Advance -The Triangle Magazine -

Direct Mail:

Aces of Kansas Ad-Mail Marketing

American Advertising, Inc.

Belle Plaine News & Oxford Register

Business Strategies Group, Inc. Contemporary Communications

Cornerstone Advertising

Dial-a-Waiter

Cornerstone Advertising Direct Mail Printers Handy Mailing Service

Home Town Mailer

Mail Marketing Group, Inc.

Mass Media, Inc. Money Mailers East Office Aide, Inc.

Penny Power Shopping News, Inc.

Postal Presort, Inc.

Power Saver

Southwestern Bell Yellow Pages Super Values Coupon Clipper

Targeted Ads

Typed Letters Corporation Wichita ValuMail Magazine Your Direct Mail Advertising

Ad Associates Agency Christian Yellow Pages Feist Publications

Prarie Publishers

Rose Industrial Services
Penny Power Shoppers News, Inc.

Shoppers Ad-Vantage

Shopper's Guide

Yellow Pages: Southwestern Bell

Feist Publications Polk Directories

Outdoor:

Adverson Outdoor Advertising Claude Federal Sign & Awning

Dowrcy Outdoor Advertising Company

Ed Dunn and Sons Signs, Inc. Mobile Ads Porta-Ad of Wichita Poster Company Prestige Rental Signs A Plus Graphics Absolutely Unlimited Aces of Kansas Ad Ventures Advertising Media Air Capitol Advertising Arts Advertising Items Ash-Craft Awards & Engraving Balloon World, Inc. Bob Ewing Advertising Jack Brown & Associates Business Unlimited CB Specialties Cochranis Enterprises Corporate Advertising Products Country Accents Creative Awards & Screen Printing David Bolduc Ad Specialties DeWitt Manufacturing Edison Promotional Advertising Co. Express Designs of Town West Frontier International Bob Gray Company Great American Incentives Hamilton Specialty Advertising Sam Howell Enterprises K & L Specialty Advertising KISCO KNIPP's Mobile Ads Premium Promotions George Roehr & Company S.F. Barrier, LTD Single Source Swag, Inc. Tangible Advertising Telesources US Logo Apparel

SALINE COUNTY (SALINA)

Radio: KSAL-AM KILS-FM

KYEZ-FM KQNS-FM KINA-AM KSKG-FM KCVS-FM KZBZ-FM

Newspapers: Buyers Guide -

Community Line -

Salina Journal - daily

Cable: TCI of Kansas, Inc.

Direct Mail: Marketaide Services, Inc. (Salina)

Yellow Pages: Southwestern Bell Yellow Pages (Salina)

Outdoor: Gateway Outdoor Advertising Company,

Inc. (Salina)

MCPHERSON COUNTY (MCPHERSON, LINDSBORG)

Radio: KBBE-FM

KNGL-AM

Newspapers: Lindsborg News-Record - weekly

Marquette Tribune - weekly McPherson Sentinel - daily

Canton Pilot - weekly

Ledger, Moundridge - weekly

Cable: Multimedia Cablevision of McPherson

Yellow Pages: Southwestern Bell (McPherson)

RENO COUNTY (HUTCHINSON)

Radio: KGLS-FM KZSN-FM

KHUT-FM KHCC-FM KSKU-FM KGGG-FM

KWBW-AM